

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ANTOLIN ANDREW MARKS,
Plaintiff,
v.
UNITED STATES OF AMERICA
Defendant

Case No. C07-5371RBL

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court, having reviewed, the Report and Recommendation of Magistrate Judge J. Kelley Arnold, objections to the report and recommendation, [Dkt. #8], and the remaining record, does hereby find and ORDER:

- (1) Plaintiff's Motion for an Extension of Time to File Objections [Dkt. #7] is **DENIED** as Moot.
- (2) The Court adopts the Report and Recommendation;
- (3) The application to proceed *in forma pauperis* is **DENIED**. Plaintiff has thirty days from the date of this order to pay the full \$350.00 dollar filing fee. If the filing fee is not received in thirty days, the clerk's office is instructed to dismiss this action **WITHOUT PREJUDICE**

The Clerk is directed to send copies of this Order to plaintiff, and to the Hon. J. Kelley Arnold and note a date on Judge Arnold's calendar thirty days from today so this action can be tracked.

DATED this 1st day of October, 2007.

Ronald B. Leighton
RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE